

**ENTERED**

July 20, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISIONKEITH COLE, *et al*,

Plaintiffs,

VS.

BRYAN COLLIER, *et al*,

Defendants.

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CIVIL ACTION NO. 4:14-CV-1698

**ORDER**

Pending before this Court is a pro se motion by Shannon Mark Douthit and Anthony Ortiz, both class members incarcerated at the Pack Unit, alleging that drinking water at the Pack Unit contains unacceptable levels of E. coli. (Doc. No. 1544). Both Mr. Douthit and Mr. Ortiz have filed a number of notices relating to E. coli in the drinking water in addition to this Motion. (Doc. Nos. 1537, 1538, 1542, 1543). Class Counsel has filed an advisory in response to Mr. Douthit and Mr. Ortiz's complaints. (Doc. No. 1545). Class Counsel states that they have investigated the claim and have not found evidence of E. coli infection at the Pack Unit. They also state that TDCJ has tested the water at several points of use throughout the facility, and all test results have indicated no E. coli contamination. (Doc. No. 1545-1).

Because the results of both Class Counsel's and TDCJ's investigations have indicated no evidence of E. coli contamination or infection, the Court hereby **DENIES** Mr. Douthit and Mr. Ortiz's pro se motion without prejudice for refiling if the circumstances in the Pack Unit change or additional evidence of E. coli contamination surfaces.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 18th day of July, 2020.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive, flowing style with a large initial "K".

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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE